



**DELAINE EASTIN**  
State Superintendent of Public Instruction

**CALIFORNIA  
DEPARTMENT  
OF  
EDUCATION**

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September 21, 1999

To: County and District Superintendents  
County and District Chief Business Officers  
Charter School Directors

From: Janet Sterling, Director  
School Fiscal Services Division

Subject: Annual Adjustment to Liability Limit of Parent or Guardian for Willful Pupil  
Misconduct

*Education Code* Section 48904(a)(1) provides that the parent or guardian of a minor is liable for all damages caused by the willful misconduct of the minor that results in the injury or death of any pupil, school district or private school employee, or school volunteer. The parent or guardian is also liable for damages to real or personal property belonging to the school district or private school, or personal property belonging to a school employee, resulting from the willful misconduct of the minor. The liability of the parent or guardian is limited to \$10,000, adjusted annually for inflation.

Section 48904 also specifies that the parent or guardian of a minor is liable for any reward, not exceeding \$10,000 adjusted annually for inflation, paid pursuant to *Government Code* Section 53069.5. *Government Code* Section 53069.5 allows local agencies to offer and pay a reward for information leading to the identification and apprehension of any person who willfully damages or destroys property, or whose willful misconduct results in injury or death to any person.

The State Superintendent of Public Instruction is required to annually adjust both of the \$10,000 liability limits specified in Section 48904(a)(1) to reflect the percentage change in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. The adjustment amount is calculated by dividing the third quarter index value for the prior fiscal year by the third quarter index value for the second prior fiscal year.

Shown below are the annual adjustments for the prior five fiscal years and the current year adjustment:

<u>Fiscal Year</u>	<u>Amount</u>	<u>% Change</u>
1994-95	\$10,542	2.30%
1995-96	\$10,871	3.12%
1996-97	\$11,242	3.41%
1997-98	\$11,506	2.34%

1998-99	\$11,670	1.43%
1999-00	\$11,846	1.51%

Future notifications of the adjusted annual amounts will be sent to you as soon as the required information becomes available and we have performed the necessary calculations. We anticipate this will occur in September of each year.

If you have any questions about the information in this letter, please contact the Office of Financial Accountability and Information Services at (916) 322-1770, or send an e-mail message to: [faisinfo@cde.ca.gov](mailto:faisinfo@cde.ca.gov). Technical questions solely about the calculation of the adjustment should be addressed to Sandra Silva at (916) 327-1824.

Please note that this letter (with hypertext links to the *Government Code* and *Education Code* sections cited) has been posted to the California Department of Education Web site at: (<http://www.cde.ca.gov/sfsdiv>). Click on "Financial and Accounting Information" to access this letter.